

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Cooperation Department – Departmental proceedings initiated by framing article of charges against Sri C.Seshaiah, Cooperative Sub-Registrar (Now Retired), O/o District Cooperative Officer, Kurnool on allegations irregularities in submitting perfunctory enquiry report u/s 51 of A.P.C.S. Act into the affairs of Srinivasa Cooperative Society Limited, Nandyal - Inquiry conducted – Charges held proved – Imposing of penalty – Orders – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No.95

Dated:01.02.2023

Read the following:-

1. Proceedings of the Addl. Registrar-I, O/o the CC&RCS, AP, Letter No. 34359/95/E8, dated:27.06.1995.
2. Written statement of defence of Sri C.Seshaiah, C.S.R.(Retired), dated:24.07.1995.
3. Proceedings of the Addl. Registrar-I, O/o the CC&RCS, AP Letter No.34359/95-E11, dated:05.05.2000.
4. Inquiry Report dated:03-11-2003 of the D.C.O., Kurnool & Inquiring Authority.
5. Govt. Memo. No.108/Vig.II(3)/2001-3, dated:29.03.2004.
6. Representation of Sri C.Seshaiah, C.S.R.(Retired), dated:06.08.2004.
7. Govt.Memo No.AGC01-COOP/94/2019-VIG.II, dated: 22-01-2020.
8. Representation dated:04-11-2020 of Sri C. Seshaiah, Cooperative Sub-Registrar (Retired).
9. Letter No.AGC06-29035/82/2019-SEVCES-CCRCS, dated: 08-12-2021 of the CC&RCS, AP received on 21-11-2022.
10. Govt. Letter No.AGC01-COOP/94/2019-VIG.II, dated:24-11-2022.
11. Letter No.GAD03/APPSC0DCC/120/2022-DC SEC-APPSC (Computer No.1931364), dated:11-01-2023.

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ORDER:

In a disciplinary case, on the allegation of irregularities in submitting perfunctory enquiry report u/s 51 of A.P.Cooperative Societies Act into the affairs of Srinivasa Cooperative Society Limited, Nandyal, the Additional Registrar-I, O/o Commissioner for Cooperation & Registrar of Cooperative Societies, A.P. had initiated departmental proceedings by framing the following four (4) articles of charges against Sri C.Seshaiah, Cooperative Sub-Registrar (now Retired), O/o District Cooperative Officer, Kurnool in the reference 1st read above:-

Article of Charge-1 :

"That Sri C. Seshaiah, Cooperative Sub-Registrar(Non-Credit), O/o Divisional Cooperative Officer, Nandyal & Enquiry Officer of the Srinivasa Cooperative House Building Society Limited, Nandyala has failed to enquire into the aspect of over payments of Rs.1,34,87,165/- made to 106 land owners of the society and has tried to justify the action of the Managing Committee of the Society, contrary to the authenticated documentary evidence of the registered sale deeds of the concerned lands".

(P.T.O.)

Article of Charge-2 :

"That Sri C. Seshaiah, Cooperative Sub-Registrar / Enquiry Officer has failed to issue summons to all the 106 land owners and record their independent depositions. He has obtained signatures of only 16 persons on 16 printed summon forms and 16 stereo typed depositions. Thus, he has failed to conduct a detailed enquiry into the aspect of over payment of Rs.1,34,87,165/- to the land owners".

Article of Charge-3 :

"That Sri C. Seshaiah, Cooperative Sub-Registrar / Enquiry Officer has failed to examine the senior most departmental retired Cooperative Sub-Registrar working in the Society as Manager since 19-10-1989 who would have been in a better position to give evidence on all the procedural and financial irregularities pointed out by the Auditor in his special report".

Article of Charge-4 :

"That Sri C. Seshaiah, Enquiry Officer has failed to examine any of the members, who have deposited site deposits in the society and record their depositions with special reference to the over payments made by the society for the purchase of the lands. He has failed to get a list of such members with their relationship with the members of the Managing Committee".

2. The Charged Officer has submitted his written statement of defence dated:24-07-1995 denying the charges framed against him. Since the written statement of defence was not found satisfactory, in the reference 3rd read above, the Additional Registrar-I, O/o Commissioner for Cooperation & Registrar of Cooperative Societies, A.P. issued orders appointing the Joint Registrar / District Cooperative Officer, Kurnool as Inquiring Authority to conduct regular inquiry into the charges framed against the Charged Officer.

3. After conducting the regular inquiry, the Inquiring Authority, has submitted the inquiry report dated:03-11-2003 concluding that, the four articles of charges framed against the Charged Officer are held proved.

4. Government, after careful examination of the matter with reference to the record of inquiry, have provisionally decided to impose a penalty of 80% (eighty %) cut in eligible pension permanently against the retired Charged Officer viz. Sri C.Seshaiah, Cooperative Sub-Registrar(Retired) under Rule 9 of A.P.Revised Pension Rules, 1980, in the instant departmental case. Accordingly, a Show Cause Notice was served on the Charged Officer along with the inquiry report dated:03-11-2003 in the reference 5th read above.

5. The Charged Officer has submitted his representation dated: 06-08-2004 to the Show Cause Notice stating that he has not committed any serious crime or misconduct or grave misconduct or any offence under C.C.A. Rules. Finally, he has requested to drop further action against him.

6. After thorough examination of the matter with reference to the record of inquiry, considering the prolonged inquiry process and keeping in view that the Charged Officer has reached a ripe age of 83 years, Government

(Contd..3)

have decided to impose a penalty of 25% (twenty five %) cut in pension permanently against Charged Officer viz. Sri C.Seshaiah, Cooperative Sub-Registrar(Retired) under Rule 9 of A.P.Revised Pension Rules, 1980, in the instant departmental case. Accordingly, Revised Show Cause Notice dated:22-01-2020 was served on the Charged Officer.

7. In response to the Revised Show Cause Notice, Sri C.Seshaiah, Cooperative Sub-Registrar(Retired) has submitted his representation dated:04-11-2020 stating that he has not committed any irregularity.

8. Government, after thorough examination of the matter with reference to the record of inquiry, have observed that, the Charged Officer in his representation dated:04-11-2020 has not put-forth any new grounds for consideration and decided to impose a penalty of 25% (twenty five %) cut in pension permanently against Charged Officer viz. Sri C.Seshaiah, Cooperative Sub-Registrar(Retired) under Rule 9 of A.P.Revised Pension Rules, 1980, in the instant departmental case. Accordingly, A.P.Public Service Commission was addressed for their concurrence vide reference 10th read above.

9. In turn, the Secretary, A.P.Public Service Commission, Vijayawada, in the reference 11th read above, has informed that, after careful examination of the disciplinary case in the light of the records made available, Commission agrees with the proposal of the Government to impose a penalty of withholding of 25% pension permanently against Sri C. Seshaiah, Cooperative Registrar(Now Retired), O/o District Cooperative Officer, Kurnool and advises accordingly.

10. Government, after careful consideration of the entire matter, hereby order to impose a penalty of withholding of 25% (twenty five percent) pension permanently against Sri C.Seshaiah, Cooperative Sub-Registrar(Retired), O/o District Cooperative Officer, Kurnool under Rule 9 of A.P.Revised Pension Rules, 1980, in the instant disciplinary case.

11. The Commissioner for Cooperation & Registrar of Cooperative Societies, A.P., Guntur shall take further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri C.Seshaiah, Cooperative Sub-Registrar(Retired),
O/o District Cooperative Officer, Kurnool.

(Through:- The Commissioner for Cooperation & Registrar of Cooperative Societies, A.P., Guntur)

Copy to:-

The Commissioner for Cooperation & Registrar of Cooperative Societies,
A.P., Guntur.

The Accountant General, A.P., Vijayawada.

The Secretary, A.P.P.S.C., Vijayawada.

The Secretary, A.P.V.C., A.P. Secretariat.

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// FORWARDED :: BY ORDER //

K. Samanth Kumar
SECTION OFFICER
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